

FISCAL NOTE

Bill #: SB0339 **Title:** Montana voluntary campaign spending limits act
Primary Sponsor: Cooney, M **Status:** As Introduced

Sponsor signature	Date	Chuck Swysgood, Budget Director	Date
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Fiscal Summary

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
Expenditures:		
General Fund	\$4,300	\$2,800
Revenue:		
General Fund	\$0	\$0
Net Impact on General Fund Balance:	(\$4,300)	(\$2,800)

<input type="checkbox"/> Significant Local Gov. Impact	<input type="checkbox"/> Technical Concerns
<input type="checkbox"/> Included in the Executive Budget	<input type="checkbox"/> Significant Long-Term Impacts
<input checked="" type="checkbox"/> Dedicated Revenue Form Attached	<input checked="" type="checkbox"/> Needs to be included in HB 2

Fiscal Analysis

ASSUMPTIONS:

1. Passage of SB 339 would require the Commissioner of Political Practices to adopt rules. Legal costs associated with implementing new rules are estimated to be \$700 in FY 2004.
2. The Commissioner of Political Practices would contract to have proposed rules formatted per ARM regulations. The contract would be 80 hours at a cost of \$10 per hour, resulting in a cost of \$800 in FY 2004.
3. Passage of SB 339 would require the need for continuing legal services to enforce Sections 1 through 6 and Sections 10 through 12. The total estimated yearly fiscal cost for these legal services is \$2,800. This figure does not include estimates of other anticipated legal expenses, such as conducting investigations to complaints are filed. The amount of those additional legal services is undeterminable.
4. SB 339 would create a special revenue account to be used only by the Office of the Commissioner of Political Practices.
5. Passage of SB 339 would require participating candidates who exceed limits to be subject to fines. Fines paid under Section 4 would be deposited in the special revenue account created in SB 339. Since the amount of fines that would be assessed is undeterminable, general fund is assumed for the first biennium.

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FISCAL IMPACT:

	<u>FY 2004 Difference</u>	<u>FY 2005 Difference</u>
<u>Expenditures:</u>		
Operating Expenses	\$4,300	\$2,800
<u>Funding of Expenditures:</u>		
General Fund (01)	\$4,300	\$2,800
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
General Fund (01)	(\$4,300)	(\$2,800)

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DEDICATION OF REVENUE:

- a) Are there persons or entities that benefit from this dedicated revenue that do not pay?
(please explain)

Yes. A percentage of the filing fee of nonparticipating candidates must be deposited in the fund. Participating candidates filing fees are not deposited in the fund.

- b) What special information or other advantages exist as a result of using a state special revenue fund that could not be obtained if the revenue were allocated to the general fund?

Unknown.

- c) Is the source of revenue relevant to current use of the funds and adequate to fund the program activity that is intended? Yes / No (if no, explain)

Unknown. Fines assessed are undeterminable. Secretary of State is responsible for providing estimate of revenue generated from section 8.

- d) Does the need for this state special revenue provision still exist? ___Yes ___No (Explain)

SB 339 would require existence of the fund. If SB 339 is not successful, there is no need for the fund.

- e) Does the dedicated revenue affect the legislature's ability to scrutinize budgets, control expenditures, or establish priorities for state spending? (Please Explain)

Unknown.

- f) Does the dedicated revenue fulfill a continuing, legislatively recognized need? (Please Explain)

Yes, only upon passage of SB 339

- g) How does the dedicated revenue provision result in accounting/auditing efficiencies or inefficiencies in your agency? (Please Explain. Also, if the program/activity were general funded, could you adequately account for the program/activity?)

Funds deposited in the account would consist of fines and fees of nonparticipating candidates. Funds expended from the account would be used by the agency to pay legal fees associated with investigating complaints filed with the Commissioner of Political Practices. The program could be adequately accounted for as well if it were general funded.

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